

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Trussbilt, LLC,

Plaintiff,

v.

Civil No. 11-677 (JNE/AJB)
ORDER

Detention Device Systems,

Defendant.

This is an action for trademark infringement brought by Trussbilt, LLC, against Detention Device Systems on March 18, 2011. Four days later, Trussbilt served the summons, the complaint, and a motion for a temporary restraining order on Detention Device Systems. A hearing on Trussbilt's motion was held on March 25, 2011. Trussbilt appeared through counsel. Detention Device Systems did not respond to Trussbilt's motion, and Detention Device Systems did not appear at the hearing. On March 25, the Court ordered Detention Device Systems to state whether it intends to appear in this action, who will represent it in this action, and whether it intends to oppose Trussbilt's motion for a temporary restraining order. To date, Detention Device Systems has not answered or otherwise responded to Trussbilt's complaint, it has not opposed Trussbilt's motion for a temporary restraining order, and it has not responded to the March 25 Order. Under these circumstances, the Court directs the Clerk of Court to enter Detention Device Systems' default. *See* Fed. R. Civ. P. 55(a).

On this record, the Court finds that Trussbilt is likely to succeed on the merits of its claims against Detention Device Systems. Absent injunctive relief, Trussbilt faces the threat of irreparable harm from the use of the SECURE-BILT trademark. *See Cmty. of Christ Copyright Corp. v. Devon Park Restoration Branch of Jesus Christ's Church*, 634 F.3d 1005, 1012 (8th Cir. 2011). The balance of harms and the public interest favor Trussbilt. Accordingly, the Court

grants Trussbilt's motion for a temporary restraining order. Trussbilt need not post a bond in connection with this temporary restraining order.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT
IS ORDERED THAT:

1. The Clerk of Court shall enter Detention Device Systems' default.
2. Trussbilt's Motion for Temporary Restraining Order [Docket No. 2] is GRANTED.
3. Detention Device Systems is temporarily restrained from using the trademark SECURE-BILT in connection with any and all detention or security products, including, without limitation, metal suspended ceiling systems, security ceilings, security rib bars, security mesh, cell fronts, panels and doors, access panels, and hollow metal frames for windows and doors.
4. This temporary restraining order expires 14 days after its entry.

Dated: April 18, 2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge